

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Anna Sorokin,

Plaintiff

Case Number

vs.

No. 21 Civ. 9452

Carl E. DuBois, Orange County Sheriff; Tom Decker, Field Office Director, ICE; Tae Johnson, Director, ICE; Alejandro Mayorkas, Secretary, DHS; Merrick Garland, Attorney General of the United States

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Anna Sorokin,

Plaintiff

Case Number

vs.

No. 21 Civ. 6588 (JMF)

Carl E. DuBois, Orange County Sheriff; Tom Decker, Field Office Director, ICE; Tae Johnson, Director, ICE; Alejandro Mayorkas, Secretary, DHS; Merrick Garland, Attorney General of the United States

Defendant

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

On September 27, 2021, the parties executed a Stipulation and Order, in which they agreed that the action would be dismissed without prejudice, and the government would provide the petitioner with a bond hearing before an immigration judge with certain criteria. On the same date, Judge Furman so-ordered the Stipulation and Order.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

To begin, the newly filed case ("Sorokin 2") involves all of the same parties as the earlier filed case ("Sorokin 1")—i.e., it involves the same petitioner against the same government defendants. Next, the habeas petition in Sorokin 2 reasserts the identical five causes of action that were asserted in the habeas petition in Sorokin 1. Moreover, the habeas petition in Sorokin 2 realleges the same facts and legal arguments that were contained in the habeas petition in Sorokin 1, the only difference being that the habeas petition in Sorokin 2 also focuses largely on the additional issue of whether the government complied with the Stipulation and Order entered in Sorokin 1 (which provided for the petitioner to be provided a bond hearing in immigration court). See, e.g., Sorokin 2 Petition pgs. 67-69 ("Ms. Sorokin Has Been Denied Due Process Because The Immigration Judge Violated the Order of Judge Furman"); see also Sorokin 2 Petition pgs. 46-70 (asserting allegations and arguments challenging the bond hearing that was held pursuant to the Stipulation and Order from Sorokin 1).

Signature: /s/ Brandon M. Waterman

Date: 11/16/2021

Firm: U.S. Attorney's Office, S.D.N.Y.
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